

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H2/14/23 S4/4/23

# A Bill

HOUSE BILL 1257

By: Representatives Achor, L. Johnson, Vaught, Wardlaw, Tosh

By: Senators K. Hammer, Stone

## For An Act To Be Entitled

*AN ACT TO EXPAND HEALTH BENEFIT COVERAGE FOR CERTAIN  
POLICE OFFICER RETIREES OF MUNICIPALITIES AND  
COUNTIES; AND FOR OTHER PURPOSES.*

### Subtitle

*TO EXPAND HEALTH BENEFIT COVERAGE FOR  
CERTAIN POLICE OFFICER RETIREES OF  
MUNICIPALITIES AND COUNTIES.*

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

*SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended  
to add an additional section to read as follows:*

*14-1-108. Coverage for eligible police officer retirees.*

*(a) As used in this section:*

*(1) "County" means any county in this state;*

*(2) "Dependent" means a participant or an eligible police  
officer retiree's:*

*(A) Natural child, stepchild, or adopted child who is  
eligible for coverage under a plan of an eligible police officer retiree; and*

*(B) Spouse who is eligible for coverage under a plan of an  
eligible police officer retiree;*

*(3) "Eligible police officer retiree" means a police officer who  
is:*

*(A) Employed as a police officer;*

*(B)(i) Eligible to retire with full retirement benefits*



under:

(a) The Arkansas Local Police and Fire Retirement System under § 24-10-101 et seq.;

(b) Any municipal or county retirement benefit system or plan for employees;

(c) Any local policemen's pension and relief fund under § 24-11-101 et seq.; or

(d) The Arkansas Public Employees' Retirement System under § 24-4-101 et seq.

(ii) As used in this subdivision (3)(B), "eligible to retire with full retirement benefits" means a police officer who is:

(a) Any age with twenty-eight (28) years of credited service;

(b) At least fifty-five (55) years of age and has at least twenty (20) years of credited service;

(c) At least sixty (60) years of age and has at least five (5) years of credited service; or

(d) At least sixty (60) years of age and has at least ten (10) years of actual Arkansas Local Police and Fire Retirement System service credit; and

(C) Not eligible for Medicare enrollment;

(4) "Health benefit plan" means a plan for health benefits offered by a municipality or county;

(5) "Municipality" means:

(A) A city of the first class;

(B) A city of the second class; or

(C) An incorporated town; and

(6) "Police officer" means:

(A) Any law enforcement officer engaged in official duty who is a member of any regular or auxiliary police force of a municipality or county on a full-time or part-time basis;

(B) A sheriff or deputy sheriff of a county who is engaged in official duty; or

(C) A constable or night marshal of a municipality engaged in official duty.

(b)(1)(A) An eligible police officer retiree may elect to participate

in a health benefit plan after retirement.

(B) The eligible police officer retiree is eligible under subdivision (b)(1)(A) of this section until the eligible police officer retiree is a Medicare-eligible person.

(C)(i) An eligible police officer retiree shall have a guaranteed issue period of sixty (60) calendar days from the date of retirement to enroll in the health benefit plan.

(ii) If the eligible police officer retiree does not elect to participate or declines to participate in the health benefit plan upon the expiration of sixty (60) calendar days under subdivision (b)(1)(C)(i) of this section, the eligible police officer retiree has no further privileges under the health benefit plan.

(2) An eligible police officer retiree who elects to participate in the health benefit plan shall pay a premium as determined by the municipality or county or the cost of the policy issued to the eligible police officer retiree.

(3) The eligible police officer retiree portion of the premium shall be deducted from a bank account of the eligible police officer retiree participant, to be paid by a monthly bank draft on the date designated by the municipality or county.

(c) A dependent of an eligible police officer retiree is eligible to participate in the health benefit plan.

(d) An eligible police officer retiree shall not be charged a surcharge or assessment to enroll in the health benefit plan.

(e)(1) If an eligible police officer retiree dies and has covered dependents at the time of death, the dependents have the right to continue to participate in the health benefit plan through the municipality or county.

(2) Dependent children of a deceased eligible police officer retiree may continue to participate in the health benefit plan until marriage or until the maximum age limit for a dependent child has been reached.

(3) A surviving spouse of a deceased eligible police officer retiree may continue to participate in the health benefit plan.

(4) If a surviving spouse or dependent of a deceased eligible police officer declines to participate in the health benefit plan or cancels existing participation, then the surviving spouse or dependent has no further privileges under the health benefit plan.

*SECTION 2. DO NOT CODIFY. RETROACTIVITY. An eligible police officer retiree who retired between January 1, 2017, and the effective date of this act shall have a guaranteed issue period of ninety (90) days.*

*/s/Achor*